



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

January 6, 2025

By ECF

The Honorable Edgardo Ramos
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Haitian Bridge Alliance et al. v. U.S. Department of Homeland Security et al.*,
22 Civ. 8344 (ER)

Dear Judge Ramos:

We represent defendants U.S. Department of Homeland Security (“DHS-HQ”), U.S. Customs and Border Protection (“CBP”), and U.S. Immigration and Customs Enforcement (“ICE”) (collectively, the “DHS Defendants” or the “Government”), in the above-referenced action brought pursuant to the Freedom of Information Act, 5 U.S.C. § 522, *et seq.* In accordance with Paragraph 4 of the Stipulation and Order entered on March 8, 2024 (ECF No. 82), and in consultation with Plaintiffs’ counsel, we write respectfully to provide a joint status report regarding the DHS Defendants’ processing of potentially responsive records.

1. DHS-HQ

On December 2, 2024, following a review of 410 pages of potentially responsive records, DHS-HQ released 10 responsive pages in full, and 37 responsive pages in part. DHS-HQ sent 78 pages to other components or agencies for consultation and referred 16 pages to CBP for a direct response to plaintiffs. The remaining pages reviewed were duplicates of documents previously released or were deemed non-responsive.

On December 31, 2024, following a review of 405 pages of potentially responsive records, DHS-HQ released 105 responsive pages in full and 142 responsive pages in part. DHS-HQ sent 105 pages to other components or agencies for consultation and referred 11 pages to CBP and 7 pages to ICE for a direct response to Plaintiffs. The remaining pages were duplicates of documents previously released or were deemed non-responsive.

As of the December 31, 2024 production, DHS-HQ estimates that it has approximately 7,824 pages remaining to be reviewed.

2. CBP

On December 2, 2024, following a review of 593 pages of potentially responsive records, CBP released all 593 pages in part.

On December 31, 2024, counsel for the Government informed plaintiffs' counsel that, due to reduced staff over the holidays, CBP would not be able to meet its monthly deadline for completing its processing and release of non-exempt records, and requested that its December 31 deadline be extended to no later than January 13, 2025.

By letter dated January 6, 2025, CBP informed Plaintiffs that the agency reviewed 2,641 additional pages and determined that they were duplicates of documents previously released or were deemed non-responsive. As of the date of this letter, CBP estimates that it has 209 pages remaining to be reviewed, and will release any responsive, non-exempt, and non-duplicative records on or before January 31, 2025. After January 31, 2025, CBP will provide Plaintiffs with a proposed deadline for completing its review of the referrals received from DHS-HQ, and its release of non-exempt portions of those records to Plaintiffs.

3. ICE

On November 15, 2024, ICE completed its review of 807 pages that had been previously sent to other components and agencies for consultation, and released the 807 pages in full or in part. As of the November 15, 2024 release, ICE has completed its processing of all potentially responsive records obtained by its searches. ICE is in the process of reviewing the referrals received from DHS-HQ, and upon the completion of its review will release all non-exempt portions to Plaintiffs.

We thank the Court for its consideration of this letter.

Respectfully,

EDWARD Y. KIM
Acting United States Attorney

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cc: Plaintiffs' Counsel (By ECF)